

Exhibit D

Filed Under Seal

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DYNAMIC DATA TECHNOLOGIES, LLC,

Plaintiff,

v.

GOOGLE LLC AND YOUTUBE, LLC,

Defendants.

Civil Case No. 2:18-cv-466-RWS

**DECLARATION OF JAMIE DURBIN IN SUPPORT OF GOOGLE LLC AND
YOUTUBE, LLC'S MOTION TO DISMISS UNDER RULE 12(B)(3) and 12(B)(6)**

I, Jamie Durbin, declare and state as follows:

1. I am a People Analytics Manager in the People Operations group at Google LLC ("Google"). I have been a Google employee since 2007, including in the following locations: Mountain View, California; London, England; Nashville, Tennessee; and now in Boulder, Colorado.

2. I provide this declaration in support of Defendants' Motion to Dismiss Under Rule 12(B)(3) and 12(B)(6) the Complaint filed by Dynamic Data Technologies ("DDT") on November 5, 2018. I submit this declaration based on my personal knowledge of the corporate structure of Google and its wholly owned subsidiary, YouTube, LLC ("YouTube") and my investigation into the location of Google and YouTube operations, staff, and physical presences.

3. As a People Analytics Manager, I am responsible for analytics and research on topics including employee selection, employee retention, and organizational design. As a

member of Google's People Operations department, I have access to and am familiar with relevant data regarding Google's and YouTube's operations, staff, and physical presences.

4. Google has been headquartered in the Northern District of California since its founding in 1998. It has been headquartered in Mountain View, California, in the Northern District of California, since at least 2004.

5. YouTube has been headquartered in San Bruno, California (which is in the Northern District of California), since its founding in 2005, including after Google acquired YouTube in 2006.

6. Google Inc. was incorporated in Delaware in 2002. Google has since converted to an LLC, but remains registered in Delaware. YouTube Inc. was incorporated in Delaware in 2005. YouTube has since converted to an LLC, but remains registered in Delaware.

7. As of November 5, 2018 and continuing to today, neither Google nor YouTube maintained an office in the Eastern District of Texas, which, which I understand includes the counties identified on the Court's website (<http://www.txed.uscourts.gov/court-locator>). Accordingly, Google and YouTube do not have employees who work at any Google or YouTube office in the Eastern District of Texas.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct. Executed on January 11, 2019, in Boulder, Colorado.



Jamie Durbin